

Robert B. Wilson

Chapter 13 Trustee

6308 Iola Avenue, Suite 100 Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

CHERYL LEE CARMODY

CASE NO. 14-70316-HDH-13

AKA1: CHERYL STANFORD

AKA2:

DBA1: FDBA SEASON 2 THRIFT STORE

DBA2:

SS#1: xxx-xx- 1126

SS#2:

**REPORT OF 341 MEETING**

## I. 341 MEETING REPORT:

A. Orig. Date: 10/29/2014 Orig. Time: 11:00 AM Reset Date: Reset Time:  
 B. Meeting Results: Adjourned  
 C. Debtor(s): Debtor 1 Appeared  
 D. Attorney for Debtor(s): Appeared  
 E. Creditor Appearance: None

F. Amount Paid to the Trustee as of 10/30/2014 \$430.00 First Payment Due Date: 10/30/2014

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Complete  
 Budgeted Income: \$5,222.36 Expense: \$4,792.36 Surplus: \$430.00  
 Plan Payment: \$430.00 Monthly Plan Term(Months): 60

I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00

Objection to Exemption of:

☐ Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:

☐ Object to Invoke Stay Pleading

☐ Case Converted from Chapter 7, Bar Date Set: 1/27/2015 Date Converted from Chapter 7:

J. Required Information: Good

K. Business Information:

L. Object to Confirmation: Yes

Plan fails to provide for TX Comptroller's \$247 priority tax claim listed on Sch E

Plan fails to provide for Service Loan's \$536.00 priority claim

Feasibility until all claims are properly treated

Tax return affidavit

Sch I Mrs' child support is \$647.46 not \$597.66

Sch I fails to include all income sources

Trustee requests Mrs' new income records &amp; WW Directive

Sch J lists excessive expenses

Failure to include all disposable income

M. Financial Management Class: Debtor 1 Appeared

N. Eligibility:

Certificate of Credit Counseling Filed: Debtor 1 OnlyCredit Counseling Provider Approved: YesDebt Limits Exceeded (Secured-\$1,081,400; Unsecured-\$360,475): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00

Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: Questions

-Plan fails to provide for TX Comptroller's \$247 priority tax claim listed on Sch E

It will be treated when a claim is filed.

-Plan fails to provide for Service Loan's \$536.00 priority claim

-Feasibility until all claims are properly treated

-Tax return affidavit

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-States 2010-12 are not required, but does not address 2013.

-Sch I Mrs' child support is \$647.46 not \$597.66

-\$49.80 difference based on \$298.83 bi-weekly

Correct

-Sch I fails to include all income sources

-Mrs employed now?

No, but she does have the disability

-Son(20) contribute to household?

No, he is not linger in the household.

-Trustee requests Mrs' new income records & WW Directive

N/A

-Sch J lists excessive expenses

-Nat'l Std 4, 2, & 2 \$4,793 -- Adj Nat'l Std \$4,793 -- Adjusted by \$0

-Sch J \$4,792 & debt in plan \$326 totals \$5,118 or \$325 above Adj Nat'l Std

-Car insurance \$49 not \$168

She will get a new dec page

-\$319 phone/internet/cable

3 phones & house. Phones only. No cable and internet on

-Spouse's personal loans \$250, Spouse's Auto Ins \$259, Spouse's fuel \$800

Steinberger out of windthorst. He is not paid for any travel. No transportation is provided.

She has no involvement in those other debts of his.

Auto is for 3-4 cars. Part of that is the house insurance.

-Failure to include all disposable income

Dated: 10/29/2014

/s/ Robert B. Wilson

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Standing Bankruptcy Trustee

By: Brent Hagan

Case Number:	14-70316
Debtor:	Carmody
Attorney:	White
Presiding Officer:	Brent Hagan
Calculation Date:	10/28/2014 12:12

Domestic Support <b>Input name from Plan</b>	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
Cap One	\$16,738.00	5.50%	60	\$319.72	\$19,182.92
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor <b>Input name from Plan</b>	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
TX Comp - \$247 on Sch E	\$0.00		1	\$0.00	\$0.00
Service Loan - \$536 provided u/s	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees <b>Paid Through the Plan</b>	\$3,275.00				\$3,275.00
Noticing Fees	\$158.40				\$158.40
Clerk Filing Fees	\$0.00				\$0.00

Hardacre Minimum	\$0.00	<div style="display: flex; align-items: center;"> <div style="flex: 1; border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>&lt;-----</span> <span>Greater Of -----&gt;</span> </div> </div> </div>	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$3,275.00		
Less Noticing Fees	\$158.40		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00	<-----	

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$33,025.92
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$25,111.64
Debtor Plan Base (Monthly Payment X Term)	\$25,800.00
Surplus (Debtor Plan Base - Calculated Base)	\$688.36

Comments: